



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

International Patent Application of:

Wright et al.

Serial No. 09/415,696

Filed: October 12, 1999

Title: "RECLOSABLE FASTENER
PROFILE SEAL AND METHOD
FORMING A FASTENER
PROFILE ASSEMBLY"

Attorney Docket No.: 021276-9044

United States Postal Service Express Mail
Mailing Label No. EL874050451US

I, David Bermejo, hereby certify that this paper or
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Date: April __, 2002

Examiner: Jes F. Pascua

Art Unit: 3727

DECLARATION Under 37 C.F.R. §1.132

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

DECLARATION

We, Donald K. Wright and Christopher Pemberton, citizens of the United States of America and two of three joint inventors for the subject application, declare that: attached is a Declaration under 37 C.F.R. § 1.132 which is incorporated herein.

1. Exhibit I is a chart showing vacuum testing of Com-pac plastic bags having fasteners compression molded to the bag walls and five other sets of plastic bags all using ultrasonic sealers to apply spot seals to seal the ends of the fastener strips to the bag walls. The five other bags are commercially available bags purchased in a local grocery store containing food products.

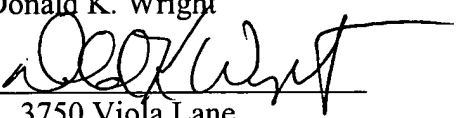
2. As shown by the chart, the testing revealed that the bags having spot sealing at the ends of their fastener profiles leaked and are, therefore, not airtight.

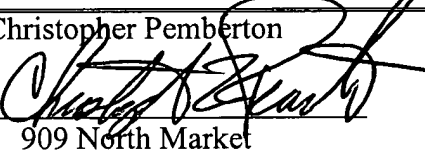
3. A videotape showing the testing procedure and results is attached hereto.

4. The tests were conducted by Kendall Hankins, project engineer, at Com-Pac International, Inc. and Jeff Smith, Director of Quality Control.

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TC 3700 MAIL ROOM

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name Of Declarant:	Donald K. Wright	
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Tested By: Kendall Hankins, Jeff Smith

Vacuum Testing

Date: 04/10/2002

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Bag Description: Com-Pac Integra RTR that utilizes Compression Rolled fastener.

Sample#	Hg Reading	Pass / Fail	Defect	Comments
1	20	Pass	None	No leaks found
2	20	Pass	None	No leaks found
3	20	Pass	None	No leaks found
4	20	Pass	None	No leaks found

Bag Description: Tyson chicken wings fresh frozen, 40 oz. bags with standard ultra-sonic seals.

Sample#	Hg Reading	Pass / Fail	Defect	Comments
1	13	Fail	Leak at the top L/H side seal over the ultra-sonic area.	
2	15	Fail	Leak at the top L/H & R/H side seal over the ultra-sonic area.	
3	0	Fail	Leak at the top R/H side seal over the ultra-sonic area.	
	14		Leak at the top L/H & R/H side seal over the ultra-sonic area.	
4	14	Fail	Leak at the top L/H side seal over the ultra-sonic area.	
5	15	Fail	Leak at the top L/H & R/H side seal over the ultra-sonic area.	

Testing Equipment:

Haug Manufacturing Corp. Pac-Vac Burst/Leak Tester

Dimensions: Overall 15" x 22" x 24" high.

Inside of tank 12" x 18" x 10"

Note: The Haug vacuum tester is designed to pull a vacuum up to 30 hg which allows us to see seal voids indicated by bubbles exiting the package. This test also simulates packages that during shipment witness atmospheric pressure drops such as trucks shipping over mountains and shipping by cargo planes.

Tested By: Kendall Hankins, Jeff Smith

Vacuum Testing

Date: 04/10/2002



Bag Description: Frieda's French Style crepes, 4.5 oz with standard ultra-sonic seals.

Sample#	Hg Reading	Pass / Fail	Defect	Comments
1	15	Fail	Leak at the top R/H side seal over the ultra-sonic area.	
2	16	Fail	Leak at the top L/H side seal over the ultra-sonic area.	
3	18	Fail	Leak at the top L/H & R/H side seal over the ultra-sonic area.	

Bag Description: Dolly Madison Powdered Donuts, 19.25 oz with standard ultra-sonic seals.

Sample#	Hg Reading	Pass / Fail	Defect	Comments
1	15	Fail	Leak at the top L/H & R/H side seal over the ultra-sonic area.	
2	12	Fail	Leak at the top L/H & R/H side seal over the ultra-sonic area.	

Bag Description: Manny's Soft Taco tortillas, 10 oz with standard ultra-sonic seals.

Sample#	Hg Reading	Pass / Fail	Defect	Comments
1	0	Fail	Leak at the top L/H & R/H side seal over the ultra-sonic area.	

Bag Description: Kroger Fruit & Frosted O's, 28 oz with standard ultra-sonic seals.

Sample#	Hg Reading	Pass / Fail	Defect	Comments
1	10	Fail	Leak at the top L/H & R/H side seal over the ultra-sonic area.	

Testing Equipment:

Haug Manufacturing Corp. Pac-Vac Burs/Leak Tester

Dimensions: Overall 15" x 22" x 24" high.

Inside of tank 12" x 18" x 10"

Note: The Haug vacuum tester is designed to pull a vacuum up to 30 hg which allows us to see seal voids indicated by bubbles exiting the package. This test also simulates packages that during shipment witness atmospheric pressure drops such as trucks shipping over mountains and shipping by cargo planes.